

FILED

2019 APR 11 PM 2:51

BY: [Signature] YMM

BRIAN M. MCINTYRE, Cochise County Attorney  
BY: SARA V. RANSOM, Deputy County Attorney  
Arizona State Bar No. #024099  
P.O. Drawer CA  
Bisbee, Arizona 85603  
(520) 432-8700  
attyme@cochise.az.gov

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE

STATE OF ARIZONA,	)	NO. CR201800252
	)	
Plaintiff,	)	
-vs-	)	
	)	MOTION FOR
JUSTIN ALEXANDER COPELAND,	)	NO CONTACT ORDER
	)	
	)	[expedited consideration requested]
Defendant.	)	

The State of Arizona, by and through County Attorney Brian M. McIntyre and his Deputy, Sara V. Ransom, in the interests of justice, moves for entry of a no contact order between Defendant Justin Alexander Copeland ("Defendant") and Sara Bailey, formerly Sara Copeland, the victim representative of victim R.H. Moreover, because Defendant and Ms. Bailey are conspiring to commit one or more felonies in their recorded communications, the State asks for expedited consideration and resolution of this Motion.

**I. BACKGROUND**

On November 17, 2017, then 13-year-old R.H. notified school officials that her step father Justin Copeland had been molesting her for years. R.H. completed a forensic interview later that same day, which confirmed her previous disclosures to school officials. Defendant did not deny R.H.'s accusations, instead claiming that he had "sexsomnia" and was unaware of the repeated molestations of R.H. Defendant was Indicted on 50 counts of molestation and an alternative count of Continuous Sexual Abuse of a Minor.

BRIAN M. MCINTYRE  
COCHISE COUNTY ATTORNEY  
P.O. Drawer CA  
Bisbee, AZ 85603  
520-432-8700

1 The matter proceeded to trial on March 25, 2019. At trial, Defendant altered his  
2 defense to claim that he had no opportunity to molest R.H. because there were always  
3 numerous people in the house. Sara Bailey, R.H.'s biological mother and Defendant's ex-  
4 wife, testified that she was always around Defendant in the family home, which supported  
5 Defendant's new defense.

6 R.H. testified at trial on April 1, 2019. Although she did have make some inconsistent  
7 statements, R.H.'s testimony was similar to her original forensic interview from November  
8 2017. On April 5, 2019, Defendant was found guilty on all 50 counts of molestation alleged  
9 by the State. On April 8, the jury found that the State had proven that each count was a  
10 dangerous crime against children punishable pursuant to A.R.S. § 13-705, and further that the  
11 State had demonstrated two aggravating factors—emotional, physical or financial harm to the  
12 victim and that Defendant had abused a position of trust.

13 Defendant, who was not previously in custody, was taken into custody on April 5,  
14 2019. Since he was taken into custody, Defendant has been in contact with the victim  
15 representative in this case, Sara Bailey. Two recent calls, which appear to have taken place  
16 earlier this week, include multiple requests by the Defendant that Sara Bailey discuss R.H.'s  
17 testimony with R.H. and record R.H. recanting or altering her previous testimony. On the  
18 calls, Ms. Bailey agrees with Defendant's requests, and further states that she will send the  
19 recordings to Defendant's attorney, Kevin Oursland. The State will make the jail calls  
20 available to defense counsel and this Court for *in camera* review.

21 **II. A No Contact Order Must Be Entered To Prevent Further Criminal**  
22 **Violations and Protect R.H.**

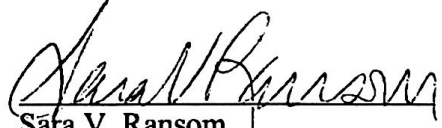
23 The State is filing a Complaint against Defendant and Ms. Bailey alleging conspiracy  
24 to commit hindering prosecution and conspiracy to commit witness tampering. In the  
25 meantime, however, Defendant is engaging in communications with Ms. Bailey in furtherance  
of additional felonious acts against his victim, R.H. Because Ms. Bailey is apparently intent

1 upon supporting Defendant in this effort, a no contact order should be immediately entered.  
2 A No Contact Order is necessary to not only to prevent further conspiratorial acts between  
3 Defendant and Ms. Bailey, but to protect R.H. from the on-going manipulation and harms of  
4 Defendant.

5 Sentencing in this case is set to proceed on June 3, 2019 at 1:30 p.m. By this No  
6 Contact Order, the State does not intend or wish to interfere with or unduly burden the ability  
7 of counsel for the Defendant to prepare for mitigation or sentencing in this matter. The State  
8 thus asks that the Court allow counsel for the Defendant or any investigators retained by  
9 counsel for the Defendant to interview witnesses in the ordinary course. The State's does not,  
10 however, authorize any form of contact with the victim, R.H., and further asks that Defendant  
11 be prohibited from engaging in any direct or indirect contact with Sara Bailey, as such  
12 contacts are clearly in furtherance of a criminal conspiracy to further victimize R.H., a young  
13 child and a material witness in this case. The State further reserves its right to seek a  
14 forfeiture by wrong-doing ruling in any future proceedings in this matter. *State v. Franklin*,  
15 232 Ariz. 556, 558, 307 P.3d 983, 985 (Ct. App. 2013). A proposed form of Order is  
16 attached hereto.

17 RESPECTFULLY SUBMITTED this 11th day of April, 2019.

18 COCHISE COUNTY ATTORNEY

19 BY:   
20 Sara V. Ransom  
21 Deputy County Attorney

22 ORIGINAL filed this 11th day of April, 2019 with the Clerk of the Cochise County Superior  
23 Court.

24 COPIES e-mailed and mailed this 11th day of April, 2019 to:

25 The Honorable Laura Cardinal  
Cochise County Superior Court, Division 1